

Remarks

This Amendment is made in response to the Final Office Action of September 30, 2010. The Office Action has been carefully reviewed, and the following remarks are considered responsive thereto.

Claims 1, 9, 10, 15–17, and 19–24 are pending in the present application, prior to entry of this Amendment. Claims 6–12 and 14–18 were amended in a Preliminary Amendment filed June 6, 2006. Claims 1, 4–5, 10, and 17 were amended via an Amendment and Response to a first Office Action filed December 17, 2009, and new claim 19 was added. Claims 1, 9, 10, 15, 17, and 19 were amended, new claims 20–24 were added, and claims 2–8, 11–14, and 18 were canceled via an Amendment and Response to a second Non-Final Office Action filed July 16, 2010. Clarifying amendments have been made in the present Amendment to independent claim 1 to place the claim in condition for allowance. Further clarifying amendments have also been made to dependent claims 15 and 20–23, primarily to make these claims consistent with amendments made to the independent claims. Claim 10 has been canceled by this Amendment. No new claims have been added by this Amendment.

It is submitted that no new matter is presented by this Amendment, as all claim amendments and new claims are properly supported by the application as originally filed. In view of the amendments and remarks which follow, reconsideration and allowance of the application and claims is respectfully requested.

The following sections correspond to the sections in the Office Action.

Claim Rejections - 35 U.S.C. § 112, first paragraph

In the Office Action, claims 1, 9–17, and 20–24 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Specifically, the Office Action asserted that the “claim(s) contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.” [Office Action, p. 2]. Thus, the Office Action indicates that the previously-presented claim amendments presented new matter. The specific rejections, and Applicants’

responses thereto, are discussed in greater detail below.

The Office Action asserted that the language “producing one or more microstructure[s],” in claim 1, was unsupported by the original application. Specifically, the Office Action states that “[t]here is nowhere in the specification that disclose[s] the use of the claimed process to produce more than one microstructure.” [Office Action, p. 3]. In response, Applicants have removed this language from claim 1, and changed the claim language to recite “a microstructure”. Accordingly, it is believed that the present amendment of claim 1 sufficiently addresses the rejection of this claim relating to this issue, and it is respectfully requested that such claim rejection be withdrawn.

The Office Action further asserted that the language “the SU-8 photoresist has a thickness greater than 0.7 mm” in claim 1, and “the thickness of the photoresist is in the range of 0.701 to 1.5 mm” in claim 10 was unsupported by the original application. As discussed during the Examiner Interview of November 9, 2010, Applicants believe the as-filed application does in fact support a thickness range of 0.701 to 1.5 mm. For example, page 4 in the application recites that “preferably the photoresist is 0.7 to 1.5 mm thick.” Because the claimed range of 0.701 to 1.5 mm *falls within and is narrower than* the recited preferable range of 0.7 to 1.5 mm, this claimed range is supported by the original application. Thus, Applicants respectfully disagree with this assertion in the Office Action.

However, in an effort to comply with the Examiner’s request and move this case quickly towards allowance, claim 1 has been amended to recite that the photoresist has a thickness “in a range of 1.0 mm to 1.5 mm,” which is clearly supported by the specification and is well within the discussed exemplary range. The Examiner further agreed to this claimed range during the Examiner Interview of November 9, 2010. Further, claim 10 has been canceled from the present application. Accordingly, it is believed that the present amendment of claim 1 and cancellation of claim 10 sufficiently addresses the rejections of these claims relating to this issue, and it is respectfully requested that such claim rejections be withdrawn.

The Office Action additionally asserted that the language “light comprises a combination of wavelengths including 436 nm, 405 nm”, in claim 1, was unsupported by the original application. During the Examiner Interview of November 9, 2010, the Examiner suggested that

including language indicating that 436 nm corresponds to the “g-line”, that 405 nm corresponds to the “h-line”, etc., would address this claim rejection. In response, Applicants submit that, at the time the application was filed, it would have been understood by one of ordinary skill in the art that the disclosed light wavelengths were synonymous with their respective “lines” in the light spectrum. However, in an effort to comply with the Examiner’s request and move this case quickly towards allowance, claim 1 has been amended to recite “wavelengths including g-line (436nm), h-line (405nm), and i-line (365nm).” These amendments are supported in the as-filed specification on page 9. Accordingly, it is believed that the present amendment of claim 1 sufficiently addresses the rejection of this claim relating to this issue, and it is respectfully requested that such claim rejection be withdrawn.

As further asserted in the Office Action, the language “about 80% of light at 365 nm” and “about 90% of light at 365 nm”, in claim 1, and several other references to the term “about” in claims 20–23, was rejected in the Office Action as being unsupported by the original application. In response, Applicants have removed any recitation of the term “about” from the claims. Accordingly, it is believed that the present amendment of claims 1, 15, and 20–23 sufficiently addresses the rejections of these claims relating to this issue, and it is respectfully requested that such claim rejections be withdrawn.

The Office Action also asserted that the language “subsequently to a second temperature that is higher than the first temperature,” in claim 15, was unsupported by the original application. In response, Applicants have clarified this claim to recite “a first temperature that is in a range of 60°C to 70°C and subsequently to a second temperature that is in a range of 90 °C to 100 °C.” These claim amendments are fully supported in the as-filed application on pages 5, 9, and in other locations not specifically mentioned. Accordingly, it is believed that the present amendment of claim 15 sufficiently addresses the rejection of this claim relating to this issue, and it is respectfully requested that such claim rejection be withdrawn.

The Office Action further asserted that the language “high pressure mercury lamp”, in claim 24, was unsupported by the original application. As discussed during the Examiner Interview of November 9, 2010, Applicants submit that this language *is* supported by the as-filed application. For example, page 4 of the original application describes performing an

embodiment of the process described by the present claims using “a high pressure mercury lamp.” During the Interview of November 9, 2010, the Examiner conceded that the as-filed application does in fact support this claim language. Accordingly, it is respectfully requested that such claim rejection be withdrawn.

Claim Rejections - 35 U.S.C. § 112, second paragraph

In the Office Action, claims 1, 9–17, and 20–24 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as their invention.

Specifically, the Office Action asserted that the term “about” (used in several of the claims) was unclear and indefinite. As recited previously, Applicants have removed any reference to the term “about” from the claims. Thus, it is respectfully requested that such claim rejection be withdrawn.

The Office Action also asserted that it is unclear whether claim 1 intended to recite “filters” or “filters out” when referencing the light that is not passed through the filter. In response, Applicants have amended the claims to recite that the light is “filtered out” (i.e., not allowed to pass through the filter). Applicants believe that the present amendment of claims 1 and 20–23 sufficiently addresses the rejections of these claims relating to this issue, and it is respectfully requested that such claim rejections be withdrawn.

Accordingly, it is believed that the various claim amendments and arguments discussed above have sufficiently addressed the 35 U.S.C. § 112 rejections raised in the Office Action, and it is respectfully requested that such claim rejections be withdrawn.

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For the sake of brevity, not every claim or claim element and their associated rejections have been discussed. However, Applicants do not acquiesce in any of the Examiner’s assertions and comparisons regarding the cited references and the present claims, regardless of whether they have been specifically addressed in this Amendment.

Accordingly, it is believed that the foregoing amendments and arguments have addressed

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all of the claim rejections in the Office Action, and have thus placed all pending claims in condition for allowance. Such allowance is earnestly and respectfully solicited.

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Conclusion

For the foregoing reasons, it is submitted that all claims are believed novel, nonobvious, fully supported, and should be patentable in view of the art of record. The foregoing is submitted as a full and complete response to the Final Office Action mailed September 30, 2010, and is believed to place all claims in the application in condition for allowance. Accordingly, it is respectfully submitted that this application be allowed and that a Notice of Allowance be issued. If the Examiner believes that a telephone conference with the Applicants' attorneys would be advantageous to the disposition of this case then the Examiner is encouraged to telephone the undersigned at 404-233-7000.

Additionally, please note that the current Amendment includes 11 total claims and 1 independent claim. Because Applicants previously paid for 20 total claims and 3 independent claims, no additional claims fees are believed due at this time. However, Applicants submit herewith the corresponding fee for a Request for Continued Examination (RCE). If our assessment of any fees due is in error, please charge any fees that might be due or credit any overpayment to our Deposit Account No. 50-3537.

Respectfully submitted,

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